

226699

BEFORE THE
SURFACE TRANSPORTATION BOARD

Mar 26 2010
RECEIVED
OFFICE OF THE SECRETARY

STB DOCKET NO. AB-290 (Sub- No. 311X)

NORFOLK SOUTHERN RAILWAY COMPANY
PETITION FOR EXEMPTION
ABANDONMENT OF RAIL FREIGHT SERVICE OPERATION -
IN THE CITY OF BALTIMORE, MD AND BALTIMORE COUNTY, MARYLAND

SECOND NOTICE OF INTENT TO PARTICIPATE AS A PARTY OF RECORD

MOTION TO AMEND JANUARY 5, 2010 NOTICE OF INTENT
TO PARTICIPATE AS A PARTY OF RECORD

1. I, Lois Lowe, whose address is Ste 200, 50 Scott Adam Road, Cockeysville, MD 21030, herewith give this Second Notice of Intent to Participate as a Party of Record in the above entitled proceeding, and move to Amend my January 5, 2010 Notice of Intent to Participate as a Party of Record.

2. This Second Notice of Intent to Participate as a Party of Record is being filed in response to the Board's March 22, 2010 decision wherein the Board struck my January 5, 2010 Notice of Intent to Participate as a Party of Record. In its March 22, 2010 Decision, the STB stated that I had failed to properly identify myself, even though I gave my name and the address where I wanted all documents, filings or decisions served, on the first page of my January 5, 2010 Notice of Intent to Participate as a Party of Record, as required by 49 CFR 1104.1(b), and even though I signed my Notice of Intent to Participate as a Party of Record in ink, as required by 49 CFR 1104.4(b)(1), and provided my

address, as required by 1104.4(b)(2). Since my Notice of Intent to Participate as a Party of Record did not contain any facts, it did not need to be verified as required by 1104.4(b)(3).

3. It would appear that the STB, Norfolk Southern Railway Company, and the Maryland Transit Administration do not want me receiving service at the same address that James Riffin receives service, and want me to submit documents and pleadings separate and apart from documents and pleadings submitted by the other individuals who desire to jointly submit an Offer of Financial Assistance. With that in mind, please amend the service address listed in my January 5, 2010 Notice of Intent to Participate as a Party of Record to:

Lois Lowe
Ste 200
50 Scott Adam Road
Cockeysville, MD 21030
(410) 661-3577

4. I, the undersigned, declare under the penalty of perjury that the information contained in the foregoing Second Notice of Intent to Participate as a Party of Record, is true and correct to the best of my knowledge, information and belief. Further, I certify that I am qualified and authorized to file this Notice.

Respectfully submitted,



Lois Lowe

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of March, 2010, a copy of the foregoing Second Notice of Intent to Participant as a Party of Record, was served by first class mail, postage prepaid, upon James R. Paschall, Senior General Attorney, Norfolk Southern Corporation, Law Department, Three Commercial Place, Norfolk, VA 23510-9241, and upon Charles A. Spitulnik, STE 800, 1001 Connecticut Avenue, NW, Washington, DC 20036, counsel for the MTA.



Lois Lowe